

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ABU DHABI COMM. BANK, et al. ,

Plaintiffs,

- against -

MORGAN STANLEY & CO, INC., et al.,

Defendants.

08-cv-07508

ECF CASE

**ORAL ARGUMENT
REQUESTED**

**NOTICE OF DEFENDANTS' DAUBERT MOTION
TO EXCLUDE CERTAIN TESTIMONY BY PLAINTIFFS' EXPERTS**

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law, the annexed Declaration of James P. Rouhandeh and the Exhibits thereto, and all the pleadings and proceedings herein, defendants Morgan Stanley & Co, Inc. and Morgan Stanley & Co. International Limited ("Morgan Stanley"), Moody's Investors Services, Inc. and Moody's Investors Service Ltd. ("Moody's"), and The McGraw-Hill Companies, Inc. and Standard & Poor's Ratings Services ("S&P") will move this Court before the Honorable Shira A. Scheindlin, United States District Judge for the Southern District of New York, at the United States Courthouse located at 500 Pearl Street, Courtroom 15C, New York, New York 10007, for an order, pursuant to Federal Rules of Civil Procedure 403 and 702 excluding certain proffered testimony of plaintiffs' experts in the above-captioned action and granting such further relief as the Court deems proper and just. The grounds for this motion are set forth in the accompanying Memorandum of Law in Support of Defendants' *Daubert* Motion To Exclude Certain Testimony By Plaintiffs' Experts, dated Feb. 8, 2013.

PLEASE TAKE FURTHER NOTICE that defendants respectfully
requests oral argument on this motion.

Dated: February 8, 2013
New York, New York

DAVIS POLK & WARDWELL LLP

By: /s/ James P. Rouhandeh
James P. Rouhandeh
james.rouhandeh@davispolk.com
Antonio J. Perez-Marques
antonio.perez@davispolk.com
Paul S. Mishkin
paul.mishkin@davispolk.com

450 Lexington Avenue
New York, New York 10017
(212) 450-4000

*Counsel for Defendants Morgan Stanley & Co.
Inc. and Morgan Stanley & Co. Int'l Ltd.*

CAHILL GORDON & REINDEL LLP

By: /s/ Dean Ringel
Floyd Abrams
fabrams@cahill.com
Charles A. Gilman
cgilman@cahill.com
Dean Ringel
dringel@cahill.com
Tammy L. Roy
troy@cahill.com
Jason M. Hall
jhall@cahill.com

80 Pine Street
New York, New York 10005
(212) 701-3000

*Counsel for Defendants Standard & Poor's
Ratings Services and The McGraw-Hill*

Companies, Inc.

SATTERLEE STEPHENS BURKE &
BURKE LLP

By: /s/ Joshua M. Rubins

Joshua M. Rubins

jrubins@ssbb.com

James J. Coster

jcoster@ssbb.com

Mario Aieta

maieta@ssbb.com

James I. Doty

jdovy@ssbb.com

230 Park Avenue
11th Floor
New York, New York 10169
(212) 818-9200

*Counsel for Defendants Moody's Investors
Service, Inc. and Moody's Investors Service Ltd.*

GIBSON, DUNN & CRUTCHER LLP

By: /s/ Mark Kirsch

Mark A. Kirsch

mkirsch@gibsondunn.com

Joel M. Cohen

jcohen@gibsondunn.com

Lawrence J. Zweifach

ljweifach@gibsondunn.com

Christopher M. Joralemon

cjoralemon@gibsondunn.com

Mary Kay Dunning

mkdunning@gibsondunn.com

200 Park Avenue,
New York, NY 10166-0193
(212) 351-2607

*Counsel for Defendants Moody's Investors
Service, Inc. and Moody's Investors Service Ltd.*